

**SUMMARY ANALYSIS OF AMENDED BILL**

Author: Leno Analyst: Deborah Barrett Bill Number: AB 1393  
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: June 28, 2007  
 Attorney: Patrick Kusiak Sponsor: \_\_\_\_\_

**SUBJECT:** Public Record Disclosure/State Agency Internet Web Sites/Public Records  
 Center/Authorize Persons To Request To Inspect Or Receive Public Record

\_\_\_\_\_ DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous  
 analysis of bill as introduced/amended \_\_\_\_\_.

\_\_\_\_\_ AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

\_\_\_\_\_ AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the  
 previous analysis of bill as introduced/amended \_\_\_\_\_.

\_\_\_\_\_ FURTHER AMENDMENTS NECESSARY.

\_\_\_\_\_ DEPARTMENT POSITION CHANGED TO \_\_\_\_\_.

\_\_\_\_\_ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED April 11, 2007, STILL  
X APPLIES.

\_\_\_\_\_ OTHER – See comments below.

**SUMMARY**

This bill would require a state agency to include specific information on its web site about  
 requesting copies of public records.

**SUMMARY OF AMENDMENTS**

The June 28, 2007, amendments would do the following:

- Allow an alternate technology comparable to HTML to be used on agency web sites,
- Require that a requestor provide certain contact information when requesting public documents, and
- Require that the link to request public information be viewable on a web site without scrolling when a desktop monitor is utilized.

The June 28, 2007, amendments made changes related to public record requests to local  
 agencies that do not impact the department and are not discussed in this analysis.

Board Position:

\_\_\_\_\_ S \_\_\_\_\_ NA \_\_\_\_\_ NP  
 \_\_\_\_\_ SA \_\_\_\_\_ O \_\_\_\_\_ NAR  
 \_\_\_\_\_ N \_\_\_\_\_ OUA \_\_\_\_\_ X PENDING

Legislative Director

Date

Brian Putler

7/10/07

New Implementation and Technical considerations have been identified as a result of the June 28, 2007, amendments and are discussed in this analysis. The "Fiscal Cost" discussion and suggested appropriation language are repeated here for convenience. The remainder of the department's analysis of the bill as amended April 11, 2007, still applies.

## **POSITION**

Pending.

## **Summary of Suggested Amendments**

Amendment 1 is provided to suggest appropriation language to fund the department's costs.

## **IMPLEMENTATION CONSIDERATIONS**

The bill would require that when a desktop monitor is used the Public Record Center link must be prominently displayed and viewable on the home page of the web site without scrolling. Because of the variances in users' screen resolutions, FTB cannot ensure that a taxpayer can view the link without scrolling. The author may wish to consider specifying a precise location for the link that is not hampered by variances in screen resolution from one user to another as the method to ensure the bill is administered as the author intends.

## **TECHNICAL CONSIDERATIONS**

On page 8, line 2, the amendments struck out the word "procedures" but did not replace it with alternate language, leaving the thought behind the sentence incomplete.

On page 5, line 1, the language refers to the Attorney General's review of a denial of a Public Records Act (PRA) request by a "state or local agency" when the language is only authorizing Attorney General review of local agency decisions. "State or" should be struck out to be consistent with the provisions of law being enacted by this bill.

## **FISCAL IMPACT**

The department anticipates a first-year cost of approximately \$302,000 for the following: to create the online form, to conduct usability programming, to test and maintain the web page, and to obtain equipment to store, secure, and verify e-mail addresses. In addition, the department anticipates on-going annual costs of \$283,000 for additional staff to handle anticipated increases in PRA requests in the Disclosure Section and one new Personnel Year in the Legal Department to provide legal assistance and guidance to Disclosure staff. It is recommended that the bill be amended to include appropriation language that would provide funding to implement this bill. Lack of an appropriation would require the department to secure the funding through the normal budgetary process, which would delay implementation of this bill.

## **LEGISLATIVE STAFF CONTACT**

Deborah Barrett  
Franchise Tax Board  
(916) 845-4301  
[Deborah.Barrett@ftb.ca.gov](mailto:Deborah.Barrett@ftb.ca.gov)

Brian Putler  
Franchise Tax Board  
(916) 845-6333  
[brian.putler@ftb.ca.gov](mailto:brian.putler@ftb.ca.gov)

Analyst	Deborah Barrett
Telephone #	845-4301
Attorney	Patrick Kusiak

FRANCHISE TAX BOARD'S  
PROPOSED AMENDMENTS TO AB 1393  
As Amended April 11, 2007

AMENDMENT 1

On page 10, after line 24, insert:

SEC 7. The sum of three hundred and two thousand dollars (\$302,000) is hereby appropriated to the Franchise Tax Board in augmentation of item 1730-001-0001 of the Governor's Budget, Chapter XX, Statutes of XXXX.